

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

First, the undersigned would like to thank Examiner Vu and Examiner Stigell for participating in the interview on November 12, 2008 at the U.S. Patent Office in which claim 7 and the Beyar reference was discussed. Agreement was reached on the amendment to claim 7 and it was agreed that claim 33 would be amended to reflect the amendments agreed upon with claim 7.

Claims 7 and 33 are currently being amended. Claims 1-6, 19-32 and 34-50 that were previously withdrawn are now canceled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier.

After amending the claims as set forth above, claims 7-18 and 33 are now pending in this application.

Rejection of Claims 7-18 and 33 Under 35 U.S.C. § 102(b)

On page 5 of the Office Action, claims 7-18 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Beyar (U.S. Patent No. 6,726,675). The Examiner stated that

Beyar discloses a transmission apparatus comprising” a first and second main gear 66, 66; a linear drive 63, 67; the second main gear coaxially and rotationally attached (through the catheter 26) to the first main gear; a linear drive 63, 67; a first and second drive 60, 61; a position tracking mechanism (guide wire 46 or other type of movement sensor, col. 7, lines 5-35); the elongated device is a medical device such as a catheter 26 or a guide wire 46; a position sensor (movement sensor, col. 7 lines 27-45 or claims 1 of Beyar)

Regarding claim 33, it encompasses the same scope of the invention as to that of claims 7 except they are drafted in method format instead of apparatus format. The claim(s) is/are therefore rejected for the same reason as set forth above.

Office Action at p.2.

Independent claim 7 has been amended to clearly indicate that the first and second main gears are coaxial. Independent claim 33 has been similarly amended. Additionally as recommended by the Examiner the clauses “capable of” and “may be” were removed from claim 7 and the clause “capable of” has been removed from claim 33. The removal of these claims does not narrow the scope of the claim but was removed to eliminate ambiguity in the language. Additionally, the term “such that when” was replaced with the term “wherein” in claim 7 and the two instances of the term “such that” were removed in claim 33. These amendments do not narrow the scope of the claim.

Beyar does not disclose a first main gear being coaxial to the second main gear as recited in claims 7 and 33. Rather, Beyar discloses gears 62, 66 which have parallel axes but are not coaxial.

It is submitted that claims 7 and 33 are patentable over Beyar for at least the same reasons noted above.

Accordingly, withdrawal of the rejection of independent claims 7 and 33, and corresponding dependent claims 8-18, is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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